

## STRADLING YOCCA CARLSON &amp; RAUTH, P.C.

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Attorneys for Genautica Oil Holdings, LP

## UNITED STATES BANKRUPTCY COURT

## EASTERN DISTRICT OF CALIFORNIA

In re

TEMBLOR PETROLEUM COMPANY, LLC

Debtor.

Case No. 2020-11367

Chapter 7

DMG-8

## NOTICE OF APPEAL AND STATEMENT OF ELECTION

**Part 1: Identify the appellant(s)**1. Name(s) of appellant(s):Genautica Oil Holdings, LP2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

 Plaintiff Defendant Other (describe) \_\_\_\_\_

For appeals in a bankruptcy case and not in an adversary proceeding.

 Debtor Creditor Trustee Other (describe) Party in interest**Part 2: Identify the subject of this appeal**1. Describe the judgment, order, or decree appealed from: Appellant appeals from order amending prior order of the Court approving the sale of the estate's interest in property. A copy of the order is attached as Exhibit A.2. State the date on which the judgment, order, or decree was entered: November 3, 2022

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Chapter 7 Trustee, Jeffrey M. Vetter Attorney: D. Max Gardner  
930 Truxtun Ave., Suite 203  
Bakersfield, CA 93301  
(661) 864-7373
2. Party: Debtor, Temblor Petroleum Company, LLC Attorney: Leonard K. Welsh  
1800 30th Street, Fourth Floor  
Bakersfield, CA 93301  
(661) 328-5328
3. Party: Bider, Kris Pitta  
Prudent Resources, LLC  
16225 Park Ten Pl, Suite 500  
Houston, TX 77084
4. Party: Buyer, Steven A. Rowlee  
5401 Business Park South, Suite 115  
Bakersfield, CA 93309-0713  
(661) 324-3911

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**Paul R. Glassman

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Date: November 17, 2022

Name, address, and telephone number of attorney  
(or appellant(s) if not represented by an attorney):

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# **Exhibit A**

1 D. MAX GARDNER, ESQ. (CSB No. 132489)  
2 930 Truxtun Ave., Suite 203  
3 Bakersfield, CA 93301  
4 661-864-7373 tel.  
5 661-864-7366 fax  
6 [dmgardner@dmaxlaw.com](mailto:dmgardner@dmaxlaw.com)  
7 Attorney for Chapter 7 Trustee Jeffrey M. Vetter

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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

Bankruptcy Case No.: 2020-11367

IN RE: Chapter 7

10 TEMBLOR PETROLEUM COMPANY, LLC.

DMG-8

DEBTOR.

AMENDED ORDER ON  
MOTION TO SELL ESTATE'S INTEREST  
IN PROPERTY PURSUANT TO 11 U.S.C. SECTION 363 (b)  
(DEBTOR'S WORKING INTEREST HANGMAN HOLLOW FIELD,  
MONTEREY COUNTY, CA)

Date: August 10, 2022  
Time: 1:30 p.m.  
Place: 2500 Tulare Street, 5<sup>th</sup> Floor  
Courtroom 11, Fresno, CA  
Judge: Hon. Jennifer Niemann

Hearing on the Chapter 7 Trustee Jeffrey M. Vetter's ("Trustee") Motion to Sell Estate's Interest in Property Pursuant to 11 U.S.C. Section 363(b) ("Motion") came on before this Court at the above date, time and place. D. Max Gardner appeared on behalf of the Trustee, who was also present. Appearing at Court was Steve Rowley as the designated person for the proposed

1 buyer Trio Petroleum. Dan Scofield appeared as the designated person for the entity Genautica  
2 Oil, an interested bidder. Chris Pita appeared as the designated person for Prudent Resources, an  
3 interested bidder. No opposition to the Motion was filed prior or stated at the time of hearing.  
4  
5 The Court made pre-hearing findings of fact and conclusions of law, which are incorporated  
6 into this Order and which granted the Motion. At hearing the Court conducted an auction  
7 resulting in the following highest bid and second highest bid:

8 Prudent Resources \$101,000

9 Genautica Oil \$86,000

10  
11 Upon recommendation of and request by the Trustee, the Court ORDERS as follows:

12  
13 1. The Trustee is authorized to sell the estate's interest in Debtor's Working Interest in  
14 Hangman Hollow Field, Monterey County, California, ("the subject property") to  
15 Prudent Resources, for \$101,000.

16 2. In the event Prudent Resources is unable to complete the sale authorized herein  
17 within 30 days from the entry of this Order, the Trustee is authorized to sell the  
18 estate's interest in the subject property to Genautica Oil for \$86,000.

19 3. The Trustee is also authorized to sell the subject property to the original bidder, Trio  
20 Petroleum, LLC for the sum of \$10,000 as a result of the higher and better bids not  
21 being completed.

22  
23 Dated: November 03 2022

24  
25   
Honorable Jennifer E. Niemann  
United States Bankruptcy Judge